

GE Rome
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FOIA EXEMPTION FORM

Fill out this form completely. This form should be placed where the document that has been withheld is located and attached to a new document being created.

The following document has been segregated from this file:

Date of Record: 8/14/02 Date Segregated From File: 12/12/02

File Break: _____

Type of Document (e.g., form, memo, letter, report, etc.): Record of Phone

From: C Thompson Conversation

To: OF Kirk Milam, Dir. PW, COR w/ Kirk Milam

Re: General Electric Site - Historic Channeling
Rome, MA

Comments (Include Redaction of Documents): _____

File Reviewed By: JSH Date: 12/12/02

Determination Re-evaluated By: JSH Date: 12/12/02

It has been determined that this record, or a portion thereof, must be withheld because it has been determined to be exempt from mandatory disclosure by virtue of 5 U.S.C. 552(b). Mark the exemption or exemptions that apply:

- | | | |
|-------------------------------------|----------------|--|
| <input type="checkbox"/> | Exemption (1) | Matters of National Defense or Foreign Policy |
| <input type="checkbox"/> | Exemption (2) | Internal Agency Rules |
| <input type="checkbox"/> | Exemption (3) | Information Exempted by Other Statutes |
| <input type="checkbox"/> | Exemption (4) | Trade, Secrets, Commercial, or Financial Information (Confidential Business Information) |
| <input checked="" type="checkbox"/> | Exemption (5)* | Privileged Inter- or Intra-Agency Memoranda <u>AWP</u> |
| <input type="checkbox"/> | Exemption (6) | Personal Privacy |
| <input type="checkbox"/> | Exemption (7)* | Records or Information Compiled for Law Enforcement Purposes |
| <input type="checkbox"/> | Exemption (8) | Records of Financial Institutions |
| <input type="checkbox"/> | Exemption (9) | Geological or Geophysical Information and Data Concerning Wells. |

*Exemptions 5 and portions of Exemption 7 (i.e., (b)(7)(A) & (b)(7)(C)) are discretionary exemptions and require review of designated records for release determination each time documents are requested.

This decision may be appealed by submitting a written appeal to the following address:

Agency Freedom of Information Officer (1105)
United States Environmental Protection Agency
401 M Street, S.W.
Washington, D.C. 20460

RE: _____ - RIN - _____

(EPA Request Identification Number Assigned to FOIA Request)

RECORD OF CONVERSATION

DATE: 08/14/2002

CALL ORIGINATOR: Carolyn Thompson, SAM

CALL RECEIVER: Kirk Milam, Director of Public Works, City of Rome

SUBJECT: Historic Channeling of Horseleg Creek

CALL SUMMARY:

Mr. Milam has been with the City for 17 years. He recalls periodic channeling in Horseleg Creek, but no major one-time event. He stated that the Corps of Engineers was concerned with flood damage prevention on Horseleg Creek and were commissioned to do a study in 1977 pursuant to funds secured by politician Larry McDonald. The study was published in 1980 (approx. 55 pages). The Cost Benefit Analysis in the study showed that the channeling was not a good solution.

Mr. Milam also said that the periodic channeling may have also removed soils from the bottom of the creek, but the major effort was on to remove vegetation on the sides, resulting in widening of the creek at points. He said they stopped doing that close to 15 years ago.

He mentioned that a few property owners may have built the banks back up and may have brought in fill material to cover native soils. So in some instances, he said, if one were to sample the banks, one might not even encounter native soils. But, he cautioned, that was only in a few instances along the creek.

Regarding the ditch next to Sams/Walmart: He remembers a lot of excavation which occurred at the site, but at the time he didn't connect it to contamination, but rather to making the property buildable. He doesn't know what they did with the soil. He did say that the Sams/Walmart property was substantially built up to a higher elevation than Redmond Circle and some filling and alteration of the ditch leading from the GE wetland area parallel to Redmond Circle may have occurred. He also cited that Redmond Circle was widened, which could have caused alteration to the original ditch.

His office has records on Walmart's stormwater permitting process (early 1990's). Two detention ponds were put in on the Walmart property; one close to Redmond Circle and one on the northwest portion of the Walmart lot. He noted that if any re-routing of the ditch occurred, it would have been on the northern end of the ditch as it comes south of the railroad, not down close to Shorter Avenue.

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